

FILED

11/30/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 16-0242

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 16-0242

IN THE MARRIAGE OF:

HEATHER N. NAGEL,
n/k/a HEATHER CONNOR,

Petitioner and Appellant,

and

CODY J. NAGEL,

Respondent and Appellee.

FILED

NOV 30 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME
AND AFFIDAVIT IN SUPPORT**

Paul Sullivan, counsel of record for Petitioner and Appellant, respectfully requests an extension of time until December 30, 2016, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. Opposing counsel was contacted and does not object. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted November 30, 2016.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.

By:


Paul Sullivan

STATE OF MONTANA)
 :ss.
County of Flathead)

I, Paul Sullivan, pursuant to § 1-1-203, MCA, declare:

1. I am a licensed, practicing attorney in the State of Montana.
2. I am counsel of record for the Appellant in this case.
3. The Appellant's opening brief is presently due on November 30, 2016. This is the fifth request for an extension.
4. The parties have reached a settlement agreement and are negotiating final implementation. Further, I am in need of additional time to complete review of the trial transcripts, research, and writing of Appellant's opening brief.
5. I will work diligently to complete the matter in the time requested.
6. Opposing counsel has been contacted and does not object.
7. I declare under penalty of perjury that the foregoing is true and correct.

DATED: November 30, 2016.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.

By: 

Paul Sullivan

CERTIFICATE OF SERVICE

I hereby certify that I filed this Motion for Extension of Time and Affidavit in Support with the Clerk of the Supreme Court of Montana on November 30, 2016, at 1:25 pm.

I hereby certify that on November 30, 2016, I electronically served, mailed or emailed a true and accurate copy of the foregoing Motion for Extension of Time and Affidavit in Support to:

JENNIFER FORSYTH
Lorang Law, PC
410 3rd Avenue
Havre, MT 59501

Martene Wiegand